

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK**

**LINDA M. LESLIE, Regional Director of)
the Third Region of the National Labor)
Relations Board,)
for and on behalf of the)
NATIONAL LABOR RELATIONS)
BOARD,)** **CIVIL ACTION NO. 1:22-cv-00478-JLS**
Petitioner,)
vs.)
**STARBUCKS CORPORATION,)
Respondent.)**

RESPONDENT'S PROPOSED DISCOVERY ORDER

As directed by the Court in its Order dated June 27, 2022 (Doc. #20), Respondent Starbucks Corporation hereby proposes that the Court include the following in its discovery order in this matter:

1. For the purpose of obtaining information, to which it would not otherwise have access, that is necessary for it to develop and support its defenses that Petitioner does not have reasonable cause for her claims and that the injunctive relief Petitioner requests is not just and proper, Respondent requests that the Court grant it leave to depose the individuals named below, for up to 4 hours each and an aggregate total of 152 hours of deposition. To obtain the information that it needs, Respondent seeks to depose these individuals on: matters contained in the affidavits on which Petitioner bases the claims and relief sought in the Petition; their personal knowledge of, and foundation for, if any, statements made in affidavits they provided Petitioner; their knowledge of conduct and actions similar to the conduct and actions mentioned in affidavits they provided; information relevant to matters addressed in affidavits they provided but not included in the

affidavits; adverse actions allegedly taken against them for discriminatory or retaliatory reasons, including information relating to the elements of a prima facie case (protected activity, employer knowledge, adverse action, and anti-union animus); and the alleged chilling effect of Respondent's allegedly unlawful actions on union organizing (in the Buffalo area and nationally) and other information relevant to whether the injunctive relief sought by Petitioner is just and proper.

a. Proposed deponents (all of whom are affiants for Petitioner, and whose affidavits are cited in Petitioner's Memorandum of Points and Authorities and attached as Exhibits to Petitioner's filings in this case):¹

1. David Almond
2. Kaitlyn Baganski
3. Mikaela Jazlyn Brisack
4. Colin Cochran
5. Rachel Cohen
6. Vianca Zaned Colon
7. Roisin Doherty*
8. Danka Dragic
9. Michelle Eisen
10. Madison Emler
11. Cassie Fleischer**
12. Iliana Gomez
13. Brittany Harrison
14. Alexis "Kai" Hunter
15. Sydney Jameson-Blowers
16. Cory Johnson
17. Angel Krempa**
18. Christian Lenz
19. Caroline Lerczak
20. Kellen Montanye***
21. Casey Moore
22. Destiny Murphy
23. Brian Murray*
24. Nicole Norton
25. Brian Nuzzo**
26. Erin O'Hare
27. William O'Malley

¹ Above, * denotes alleged discriminatee in Petition; ** denotes alleged terminated discriminatee in Petition; and, *** denotes alleged constructively discharged discriminatee in Petition.

28. Minwoo "Edwin" Park**
29. Gianna Reeve*
30. Alexis Rizzo-Kruckow*
31. Daniel Rojas, Jr.**
32. Michael V. Sanabria
33. James Skretta*
34. Nathan Tarnowski**
35. Michaela Wagstaff
36. William Westlake*
37. Richard Bensinger

2. Respondent also requests that the Court include in its order leave for it to depose Regional Director Linda Leslie on matters related to the reasonable cause element, including legal theories being advanced that would require a change in Board law, and the just and proper element, including the remedies sought and their scopes.

3. Lastly, Respondent seeks disclosure of Petitioner's investigative file by Friday, July 1, 2022 (excluding documents protected from disclosure under the attorney/client privilege or work product doctrine). This information is relevant for reasonable cause and just and proper purposes, and in particular, to determine what exculpatory evidence, if any, is being withheld by Petitioner.

Respectfully submitted this 28th day of June, 2022.

Respectfully submitted,

/s/ Jacqueline Phipps Polito
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